

TM/EEA/MKC  
F.#2014R01255

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

JOSE MIGUEL MELENDEZ-ROJAS,  
also known as "Gueramex," "Gueracasa"  
and "Jose Melendez Perez,"  
JOSE OSVALDO MELENDEZ-ROJAS,  
ROSALIO MELENDEZ-ROJAS,  
also known as "Leonel," "Wacho" and  
"El Guacho,"  
FRANCISCO MELENDEZ-PEREZ,  
also known as "Paco" and "el Mojarra,"  
FABIAN REYES-ROJAS and  
ABEL ROMERO-MELENDEZ,  
also known as "La Borrega" and  
"Borrego,"

Defendants.

----- X

THE GRAND JURY CHARGES:

COUNT ONE  
(Alien Smuggling Conspiracy)

1. In or about and between 2006 and July 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as "Gueramex," "Gueracasa" and "Jose Melendez Perez," JOSE OSVALDO MELENDEZ-ROJAS, ROSALIO MELENDEZ-ROJAS, also known as "Leonel," "Wacho" and "El Guacho," FRANCISCO

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ MAR 15 2018 ★  
BROOKLYN OFFICE

MELENDEZ-PEREZ, also known as "Paco" and "el Mojarra," FABIAN REYES-ROJAS and ABEL ROMERO-MELENDEZ, also known as "La Borrega" and "Borrego," together with others, did knowingly and intentionally conspire: (a) to encourage and induce one or more aliens to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, for the purpose of private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); (b) knowing and in reckless disregard of the fact that one or more aliens had come to, entered and remained in the United States in violation of law, to transport and move such alien or aliens within the United States by means of transportation and otherwise, in furtherance of such violation of law, for the purpose of private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i); and (c) knowing and in reckless disregard of the fact that one or more aliens had come to, entered and remained in the United States in violation of law, to conceal, harbor, and shield from detection such alien or aliens in any place, including any building and any means of transportation, for the purpose of private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

(Title 8, United States Code, Sections 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO  
(Conspiracy to Transport Minors)

2. In or about and between August 2006 and April 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as “Gueramex,” “Gueracasa” and “Jose Melendez Perez,” JOSE OSVALDO MELENDEZ-ROJAS, ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” FRANCISCO MELENDEZ-PEREZ, also known as “Paco” and “el Mojarra,” and ABEL ROMERO-MELENDEZ, also known as “La Borrega” and “Borrego,” together with others, did knowingly and intentionally conspire to transport one or more individuals who had not attained the age of 18 years in interstate and foreign commerce, with intent that such individuals engage in prostitution, contrary to Title 18, United States Code, Section 2423(a).

(Title 18, United States Code, Sections 2423(e) and 3551 et seq.)

COUNT THREE  
(Sex Trafficking Conspiracy)

3. In or about and between January 2009 and July 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as “Gueramex,” “Gueracasa” and “Jose Melendez Perez,” JOSE OSVALDO MELENDEZ-ROJAS, ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” FRANCISCO MELENDEZ-PEREZ, also known as “Paco” and “el Mojarra,” FABIAN REYES-ROJAS and ABEL ROMERO-MELENDEZ, also known as “La Borrega” and “Borrego,” together

with others, did knowingly and intentionally conspire to recruit, entice, harbor, transport, provide, obtain and maintain by any means one or more persons, in and affecting interstate and foreign commerce, and to benefit, financially and by receiving anything of value, from participation in a venture that engaged in such acts, knowing, and in reckless disregard of the fact, that (1) means of force, threats of force, fraud, coercion and a combination of such means would be used to cause such persons to engage in one or more commercial sex acts, and (2) one or more such persons had not attained the age of 18 years and would be caused to engage in one or more commercial sex acts, which offense was to be effected by force, fraud, coercion and a combination such means, contrary to Title 18, United States Code, Sections 1591(a)(1) and 1591(a)(2).

(Title 18, United States Code, Sections 1594(c) and 3551 et seq.)

COUNT FOUR  
(Sex Trafficking of a Minor – Jane Doe #1)

4. In or about and between August 2006 and March 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as “Gueramex,” “Gueracasa” and “Jose Melendez Perez,” ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” and ABEL ROMERO-MELENDEZ, also known as “La Borrega” and “Borrego,” together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide and obtain by any means a person, to wit: Jane Doe #1, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign

commerce, and did benefit, financially and by receiving anything of value, from participation in a venture which engaged in such acts, knowing that (1) force, fraud and coercion would be used to cause Jane Doe #1 to engage in one or more commercial sex acts, and (2) Jane Doe #1 had not attained the age of 18 years and would be caused to engage in one or more commercial sex acts, which offense was effected by means of force, fraud and coercion.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 1591(b)(2), 2 and 3551 et seq.)

COUNT FIVE  
(Sex Trafficking – Jane Doe #2)

5. In or about and between 2007 and June 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as “Gueramex,” “Gueracasa” and “Jose Melendez Perez,” JOSE OSVALDO MELENDEZ-ROJAS and ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide and obtain by any means a person, to wit: Jane Doe #2, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and did benefit, financially and by receiving anything of value, from participation in a venture which engaged in such acts, knowing that force, fraud and coercion would be used to cause Jane Doe #2 to engage in one

or more commercial sex acts, which offense was effected by means of force, fraud and coercion.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT SIX  
(Sex Trafficking – Jane Doe #3)

6. In or about and between April 2009 and September 2015, both dates being approximate and inclusive, within the Eastern District of New York, the defendants JOSE OSVALDO MELENDEZ-ROJAS and ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means a person, to wit: Jane Doe #3, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and did benefit, financially and by receiving anything of value, from participation in a venture which engaged in such acts, knowing that force, threats of force, fraud and coercion and a combination of such means would be used to cause Jane Doe #3 to engage in one or more commercial sex acts, which offense was effected by means of force, threats of force, fraud and coercion and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT SEVEN  
(Alien Smuggling – Jane Doe #3)

7. In or about and between April 2009 and September 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE OSVALDO MELENDEZ-ROJAS and ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” together with others, did knowingly and intentionally encourage and induce an alien, to wit: Jane Doe #3, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, for the purpose of private financial gain.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv), 1324(a)(1)(A)(v)(II), 1324(a)(1)(B)(i) and 1324(a)(1)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT EIGHT  
(Sex Trafficking – Jane Doe #4)

8. In or about and between May 2010 and February 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE OSVALDO MELENDEZ-ROJAS and FRANCISCO MELENDEZ-PEREZ, also known as “Paco” and “el Mojarra,” together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means a person, to wit: Jane Doe #4, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and did benefit, financially and by receiving anything of value, from participation in a venture which engaged in such acts, knowing that

force, threats of force, fraud and coercion and a combination of such means would be used to cause Jane Doe #4 to engage in one or more commercial sex acts, which offense was effected by means of force, threats of force, fraud and coercion and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT NINE  
(Alien Smuggling – Jane Doe #4)

9. In or about and between May 2010 and February 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE OSVALDO MELENDEZ-ROJAS and FRANCISCO MELENDEZ-PEREZ, also known as “Paco” and “el Mojarra,” together with others, did knowingly and intentionally encourage and induce an alien, to wit: Jane Doe #4, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, for the purpose of private financial gain.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv), 1324(a)(1)(A)(v)(II), 1324(a)(1)(B)(i) and 1324(a)(1)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TEN  
(Sex Trafficking of a Minor – Jane Doe #5)

10. In or about and between July 2010 and April 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as “Gueramex,” “Gueracasa”

and "Jose Melendez Perez," JOSE OSVALDO MELENDEZ-ROJAS, ROSALIO MELENDEZ-ROJAS, also known as "Leonel," "Wacho" and "El Guacho," and FRANCISCO MELENDEZ-PEREZ, also known as "Paco" and "el Mojarra," together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means a person, to wit: Jane Doe #5, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and did benefit, financially and by receiving anything of value, from participation in a venture which engaged in such acts, knowing that (1) force, threats of force, fraud and coercion and a combination of such means would be used to cause Jane Doe #5 to engage in one or more commercial sex acts, and (2) Jane Doe #5 had not attained the age of 18 years and would be caused to engage in one or more commercial sex acts, which offense was effected by means of force, threats of force, fraud and coercion and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 1591(b)(2), 2 and 3551 et seq.)

COUNT ELEVEN  
(Transportation of a Minor – Jane Doe #5)

11. In or about and between July 2010 and April 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as "Gueramex," "Gueracasa" and "Jose Melendez Perez," JOSE OSVALDO MELENDEZ-ROJAS, ROSALIO MELENDEZ-ROJAS, also known as "Leonel," "Wacho" and "El Guacho," and

FRANCISCO MELENDEZ-PEREZ, also known as “Paco” and “el Mojarra,” together with others, did knowingly and intentionally transport an individual who had not attained the age of 18 years, to wit: Jane Doe #5, in interstate and foreign commerce, with intent that Jane Doe #5 engage in prostitution.

(Title 18, United States Code, Sections 2423(a), 2 and 3551 et seq.)

COUNT TWELVE  
(Alien Smuggling – Jane Doe #5)

12. In or about and between July 2010 and April 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as “Gueramex,” “Gueracasa” and “Jose Melendez Perez,” JOSE OSVALDO MELENDEZ-ROJAS, ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” and FRANCISCO MELENDEZ-PEREZ, also known as “Paco” and “el Mojarra,” together with others, did knowingly and intentionally encourage and induce an alien, to wit: Jane Doe #5, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, for the purpose of private financial gain.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv), 1324(a)(1)(A)(v)(II), 1324(a)(1)(B)(i) and 1324(a)(1)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTEEN  
(Sex Trafficking – Jane Doe #6)

13. In or about and between June 2013 and December 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant FABIAN REYES-ROJAS, together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means a person, to wit: Jane Doe #6, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and did benefit, financially and by receiving anything of value, from participation in a venture which engaged in such acts, knowing that force, threats of force, fraud and coercion and a combination of such means would be used to cause Jane Doe #6 to engage in one or more commercial sex acts, which offense was effected by means of force, threats of force, fraud and coercion and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT FOURTEEN  
(Alien Smuggling – Jane Doe #6)

14. In or about and between August 2011 and December 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” and FABIAN REYES-ROJAS, together with others, did knowingly and intentionally encourage and induce an alien, to wit: Jane Doe #6, to come to, enter and reside

in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, for the purpose of private financial gain.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv), 1324(a)(1)(A)(v)(II), 1324(a)(1)(B)(i) and 1324(a)(1)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIFTEEN  
(Money Laundering Conspiracy)

15. In or about and between 2006 and July 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as “Gueramex,” “Gueracasa” and “Jose Melendez Perez,” JOSE OSVALDO MELENDEZ-ROJAS, ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” and FRANCISCO MELENDEZ-PEREZ, also known as “Paco” and “el Mojarra,” together with others, did knowingly and intentionally conspire to conduct one or more financial transactions in and affecting interstate and foreign commerce, which in fact involved the proceeds of one or more specified unlawful activities, to wit: (a) sex trafficking and sex trafficking of one or more minors, in violation of Title 18, United States Code, Section 1591; and (b) interstate prostitution, in violation of Title 18, United States Code, Section 2422, knowing that the property involved in the financial transactions would represent the proceeds of some form of unlawful activity (a) with the intent to promote the carrying on of one or more specified unlawful activities, and (b) knowing that the transactions would be designed

in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of one or more specified unlawful activities, contrary to Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

COUNT SIXTEEN

(Distribution of Proceeds of a Prostitution Business)

16. In or about and between 2006 and July 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSE MIGUEL MELENDEZ-ROJAS, also known as “Gueramex,” “Gueracasa” and “Jose Melendez Perez,” JOSE OSVALDO MELENDEZ-ROJAS, ROSALIO MELENDEZ-ROJAS, also known as “Leonel,” “Wacho” and “El Guacho,” and FRANCISCO MELENDEZ-PEREZ, also known as “Paco” and “el Mojarra,” together with others, did knowingly and intentionally use, and cause to be used, one or more facilities in interstate and foreign commerce, to wit: one or more wire transfer services, with intent to distribute the proceeds of an unlawful activity, to wit: a business enterprise involving prostitution offenses in violation of the laws of the State in which they were committed and of the United States, and thereafter did knowingly and intentionally perform, attempt to perform and cause to be performed, an act to distribute the proceeds of such unlawful activity.

(Title 18, United States Code, Sections 1952(a)(1)(A), 1952(b)(1), 2 and 3551 et seq.)

COUNT SEVENTEEN  
(Illegal Reentry)

17. In or about and between 2013 and July 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant FABIAN REYES-ROJAS, an alien who had previously been removed from the United States, did enter and was found in the United States, without the Attorney General or the Secretary of the United States Department of Homeland Security having expressly consented to such alien's applying for admission.

(Title 8, United States Code, Section 1326(a); Title 18, United States Code, Sections 3551 et seq.)

COUNT EIGHTEEN  
(Illegal Reentry)

18. In or about and between 2013 and July 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ABEL ROMERO-MELENDEZ, also known as "La Borrega" and "Borrego," an alien who had previously been removed from the United States, did enter and was found in the United States, without the Attorney General or the Secretary of the United States Department of Homeland Security having expressly consented to such alien's applying for admission.

(Title 8, United States Code, Section 1326(a); Title 18, United States Code, Sections 3551 et seq.)

**CRIMINAL FORFEITURE ALLEGATION AS TO  
COUNTS ONE, SEVEN, NINE, TWELVE AND FOURTEEN**

19. The United States hereby gives notice to the defendants charged in Counts One, Seven, Nine, Twelve and Fourteen that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(6), Title 8, United States Code, Section 1324(b) and Title 28, United States Code, Section 2461(c), which require the forfeiture of: (a) any conveyance, including any vessel, vehicle or aircraft used in the commission of such offenses; (b) any property, real or personal, that is used to facilitate, or is intended to be used to facilitate, the commission of such offenses; and (c) the gross proceeds of such offenses.

20. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property that cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any

other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 8, United States Code, Section 1324(b); Title 18, United States Code, Section 982(a)(6); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

**CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNTS TWO AND ELEVEN**

21. The United States hereby gives notice to the defendants charged in Counts Two and Eleven that, upon their conviction of either offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2428(a), which requires the forfeiture of (a) any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such offenses; and (b) any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses.

22. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 2428(a); Title 21, United States Code, Section 853(p))

**CRIMINAL FORFEITURE ALLEGATION AS TO  
COUNTS THREE, FOUR, FIVE, SIX, EIGHT, TEN AND THIRTEEN**

23. The United States hereby gives notice to the defendants charged in Counts Three, Four, Five, Six, Eight, Ten and Thirteen that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 1594(d), of (a) any property, real or personal, that was involved in, used, or intended to be used to commit or to facilitate the commission of such offenses, and any property traceable to such property; and (b) any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses, or any property traceable to such property.

24. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;  
(d) has been substantially diminished in value; or  
(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 1594(d); Title 21, United States Code, Section 853(p))

**CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNT FIFTEEN**

25. The United States hereby gives notice to the defendants charged in Count Fifteen that, upon their conviction of such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offense to forfeit any property, real or personal, involved in such offense, or any property traceable to such property.

26. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or  
(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1); Title 21, United States Code, Section 853(p))

**CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNT SIXTEEN**

27. The United States hereby gives notice to the defendants charged in Count Sixteen, that, upon their conviction of such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

28. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;

- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL



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FOREPERSON

Richard P. Donoghue  
RICHARD P. DONOGHUE  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

F. # 2014R01255  
FORM DBD-34  
JUN. 85

No.

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**UNITED STATES DISTRICT COURT**

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

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THE UNITED STATES OF AMERICA

vs.

*JOSE MIGUEL MELENDEZ-ROJAS, also known as "Gueramex," "Gueracasa" and "Jose Melendez Perez,  
JOSE OSVALDO MELENDEZ-ROJAS and ROSALIO MELENDEZ-ROJAS, also known as "Leonel," "Wacho" and  
"El Guacho," FRANCISCO MELENDEZ-PEREZ, also known as "Paco" and "el Mojarra,"  
FABIAN REYES-ROJAS and ABEL ROMERO-MELENDEZ, also known as "La Borrega" and "Borrego,"*

Defendants.

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**SUPERSEDING INDICTMENT**

(T. 8, U.S.C., §§ 1324(a)(1)(A)(iv), 1324(a)(1)(A)(v)(I), 1324(a)(1)(A)(v)(II), 1324(a)(1)(B)(i), 1324(a)(1)(B)(ii), 1324(b) and 1326(a);  
T. 18, U.S.C., §§ 981(a)(1)(C), 982(a)(1), 982(a)(6), 982(b)(1), 1591(a)(1), 1591(a)(2), 1591(b)(1), 1591(b)(2), 1594(c), 1594(d),  
1952(a)(1)(A), 1952(b)(1), 1956(h), 2423(a), 2423(e), 2428(a), 2 and 3551 *et seq.*; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

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*A true bill.*

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*Foreperson*

*Filed in open court this \_\_\_\_\_ day,*

*of \_\_\_\_\_ A.D. 20 \_\_\_\_\_*

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*Clerk*

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*Bail, \$ \_\_\_\_\_*

*Taryn A. Merkl, Erin E. Argo & Monica K. Castro, Assistant U.S. Attorneys (718) 254-6064/6049/6040*